

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Energy and Economic Development, to which was referred Senate Bill No. 473, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 3, line 19, delete "utility." and insert "**utility and giving the**
- 2 **right to serve and immediate possession to the municipally owned**
- 3 **electric utility. The commission order is enforceable in court**
- 4 **pending an appeal of that order. An appellant from a court order**
- 5 **enforcing a commission order under this subdivision is not entitled**
- 6 **to a stay of the court order pending appeal. However, this**
- 7 **subdivision does not apply to incorporations, consolidations,**
- 8 **mergers, or annexations that are under IC 36-4-3-4(a)(3),**
- 9 **IC 36-4-3-4(b), IC 36-4-3-4(h), or IC 36-4-3-4.1, or that are not**
- 10 **contiguous under IC 36-4-3-13(b) or IC 36-4-3-13(c)."**
- 11 Page 3, line 37, delete "ending three".
- 12 Page 3, line 38, delete "hundred sixty-five (365) days before" and
- 13 insert "**immediately preceding**".
- 14 Page 4, line 1, delete "three hundred sixty-four".
- 15 Page 4, line 2, delete "(364) days before" and insert "**on**".
- 16 Page 4, line 3, delete "tenth of one cent" and insert "**mil**".
- 17 Page 4, line 11, delete "The" and insert "**However, the**".
- 18 Page 4, line 11, after "owned" insert "**electric**".
- 19 Page 4, line 12, delete "if" and insert "**if, at the time each annual**
- 20 **payment otherwise would accrue,**".
- 21 Page 4, line 12, after "purchasing" insert "**all of its requirements**

- 1 **for".**
2 Page 4, line 13, delete "or energy" and insert "**and energy, except**
3 **for generation directly provided by the municipally owned electric**
4 **utility or by a customer,".**
5 Page 4, line 14, delete "at the time the annexation ordinance
6 becomes" and insert ".".
7 Page 4, line 15, delete "effective."
8 Page 4, line 25, after "owned" insert "**electric**".
9 Page 5, line 8, delete "may" and insert "**shall**".
10 Page 5, line 23, after "of the commission" delete "," and insert ".".
11 Page 5, line 23, delete "the commission shall approve".
12 Page 5, delete lines 24 through 30.
13 Page 5, run in lines 23 and 31.
14 Page 5, line 37, delete "hearing if the commission gives due" and
15 insert "**hearing. The commission shall approve a boundary line**
16 **change under this subdivision unless the commission finds, after a**
17 **public hearing, that the change would cause:**
18 **(A) duplication of electric utility facilities;**
19 **(B) waste of materials or resources; or**
20 **(C) uneconomic, inefficient, or inadequate electric service**
21 **to the public."**
22 Page 5, delete line 38.
 (Reference is to SB 473 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 8, Nays 0.

Senator Weatherwax, Chairperson